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REMARKS

Claims 1-3 and 5-17 were presented for examination. Claims 1-3, 13, 15 and 16 have been rejected under 35 U.S.C. § 103(a). Claims 1-3 and 5-14 have been objected. Claims 12 and 14 have been rejected under 35 U.S.C. § 112. Claims 1-3, 6, 7, 10, 12 and 14-17 have been amended to address informalities. No new matter has been added. Applicants respectfully traverse these rejections.

Claim Amendments

Claims 1-3, 6, 7, 10, 15-17 have been amended to replace the word with "the". Further amendments in these claims were made to fix minor informalities. Claims 12 and 14 were amended to provide an antecedent basis for "the host". No new matter was added.

Claims 1, 9, 13, 15 Rejected under 35 U.S.C. § 112

The Examiner has maintained a rejection of claims 1, 9, 13 and 15 under 35 U.S.C. § 112 for failure to point out and distinctly claim the subject matter of the claimed invention. Applicants respectfully traverse these rejections.

Claims 1, 9, 13 and 15 are unambiguous method claims. Simply because a method claim references an apparatus does not make the method claim unambiguous. For example:

> A method of hanging a picture, the method comprising the steps of:
>   providing a picture frame, the frame including a picture in it; and
>   hanging the picture frame on a nail in a wall by using a hook on the back of the picture frame.

It is unambiguous that the above hypothetical claim is a method claim despite the fact that the picture frame is an apparatus that includes a picture and a hook for hanging. This is because the picture frame itself, as an apparatus, is not being claimed. What is being claimed is a method for hanging a picture.

Likewise, for example, the method of claim 1, which includes the steps of providing a software facility, receiving with the software facility a network storage policy and

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programmatically applying the storage policy to storage decisions on the network using the software facility, is an unambiguous method claim. Claim 1 does not claim the software facility as an apparatus. Claim 1 provides a method of network storage where the method includes providing, receiving and programmatically applying with the software facility.

Further, the language of claim 1 that sets forth that the storage policy includes attribute requirements for at least one of the storage locations does not provide a claim to an apparatus. As with the hypothetical claim above where the picture frame includes a picture and a hook as elements for a method of hanging a picture, the storage location of claim 1 includes attribute requirements as an element for a method of network storage in a network.

Applicants therefore respectfully traverse the rejection of claims 1, 9, 13 and 15 under 35 U.S.C. § 112. Applicants request the Examiner to reconsider and withdraw the Examiner's rejection of claims 1, 9, 13 and 15 for the reasons discussed above.

Rejections pursuant to 35 U.S.C. §103(a)

Claims 1-3, 13 and 15-16 were rejected pursuant to 35 U.S.C. §103(a), as being unpatentable over Bakke et al. (United States Patent Number 6,330,621, hereafter "Bakke") in view of Microsoft 2000 as illustrated by Brown (Brown et al.,"Microsoft Windows 2000 Server Unleashed, ISBN: 0672317397, hereafter " Brown "), Microsoft ("Windows 2000Server:Microsoft Guide", Microsoft Corporation, ISBN: 15723218058, hereafter "Microsoft"), Cook ("Windows 2000 Group Policy", 2000, www.itp-journals.com) and TechNet (Automating Administrative Tasks, Policies and Procedures, http://www.microsoft.com/TechNet/prodtechnol/windows 2000serv/maintain/operate/04w2kada.mspx?pf=true, hereafter "TechNet"). Applicants respectfully traverse the rejections.

The claimed invention discusses a method of automating network storage decisions. A software facility on a network identifies and allocates to devices and processes available network storage locations based on attributes possessed by the storage locations. The software facility receives a network storage policy with attribute requirements for the devices and processes from an authorized user such as a system administrator. The software facility programmatically

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applies the network storage policy in storage allocation decisions by matching the attribute requirements of the storage policy with identified attributes of the storage locations.

Claim 1 (and the corresponding medium claim 15) includes the step of receiving a network storage policy from an authorized user, the authorized user having authority to control user access to or make storage decisions for users on the network.

Bakke discusses a data storage manager that combines dissimilar physical devices contained in a storage subsystem to create a new logical device that satisfies service characteristics specified in a policy for the data object. If there is not an existing logical device that is appropriate for storing the data object based upon the criteria, the data store manager of Bakke uses existing physical and logical device definitions as components in assembling a new logical device that satisfies the policy requirements. The policies of Bakke are specified by the each user (refs 111-114), where each user's policy take into account, among other things, the cost and speed of storage. Each user specifies their own policy and the data storage manager implements it for them.

Brown discusses managing corporate infrastructure in a WINDOWS 2000 environment. More specifically, Brown discusses the use of pre-defined default groups that are available when a workgroup or domain is created. The pre-defined default groups include account operators (domain only), administrators (domain and local), backup operators (domain and local) and creator owner (implicit group for OS use). Grouping of user accounts is performed to control more than one user at a time. Different groups are allowed to perform different functions. The groups have different scopes such as global and local.

Microsoft discusses generally the use of active directory services to centrally manage users, groups and security. The cited Administrative Templates allows an administrator to select attributes of a policy from a list.

Cook discusses group policies that allow administrators to create desktop configuration for a group. Cook disk quota limit as provided by Cook refers to a local disk quota. The shared folders discussed in Cook are folders where the administrator stores the group policy and are not storage locations to be allocated.

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TechNet discusses the automation of administrative tasks, policies and procedures in a WINDOWS 2000 environment. More specifically, TechNet discusses the managing of site, domain and unit policies. TechNet discusses the use of a group policy list and the precedence of the policies in the list.

Neither Bakke nor the remaining cited references, alone or in combination, teach or suggest the step of receiving a network storage policy from an authorized user, where the authorized user has the authority to control user access to storage locations on the network. Bakke teaches multiple users each specify service characteristics in policies for data storage to create logical devices. As such, Bakke fails to teach or suggest the network storage policy is from an authorized user, where the authorized user has authority to control access to the storage locations on the network. The Administrative Templates section in Microsoft cited by the Examiner teaches registry settings of a user may be modified through group policy. The exemplary group policy settings in Figure 22.3 allow an authorized user to perform operations such as removing folders from a start menu and disabling the logoff option on the start menu, but do not teach or suggest a network storage policy from an authorized user who has the authority to control access to the storage locations. In the cited section of Brown, Brown teaches different types of authorized users but does not teach or suggest receiving a network storage policy from an authorized user, where the authorized user has the authority to control access to the storage locations. For example, Brown mentions system, domain and schema administrators. In Cook local disk quota limits are provided using group policy, thereby limiting what a user can store locally, not on storage locations in a network as provided by a network storage policy. As such, cook fails to teach or suggest a network storage policy from an authorized user who has the authority to control access to the storage locations. Similarly, the cited sections of TechNet include discussion of selecting policies in general but do not teach or suggest the selection of a storage policy from an authorized user who has the authority to control access to the storage. For example, the cited Group Policy Management section discusses the configuration of policies for account lockout and passwords, auditing, user rights, assignment and security. As such, neither Bakke nor the remaining cited references, alone or in combination, teach or suggest the step of receiving a storage policy from an authorized user, where the authorized user has the authority to control access to the store locations.

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Further, the Applicants find no motivation to combine Bakke with the cited references. As discussed above, Bakke teaches multiple users on a network where each user specifies a policy for data storage. The remaining cited references are directed to group policy, authorized users such as domain administrators and general policy selection. The mere fact that references can be combined does not render the resultant combination obvious, unless the prior art also suggests the desirability of the combination. The cited prior art is devoid of a desire to combine. The nature of the problem addressed by Bakke is multiple users (refs 111-114 of Bakke) each set storage policies to determine how their data will be stored. The problems addressed by the remaining cited references are authorized users and general policy. Nothing in Bakke or the remaining cited references suggest a desire to combine the remaining cited references with Bakke. Bakke is concerned with allowing each user (refs 111-114 of Bakke) to set storage policy, while the remaining cited references are concerned with restricting the ability to set general policies to an authorized user. As such, there is no motivation to combine Bakke with the remaining cited references, and it therefore can not be obvious to combine the remaining cited references with Bakke to show the receipt by a software facility of a network storage policy from an authorized user, where the authorized user has authority to control access to the storage locations on the network.

Notwithstanding the lack motivation to combine and the failure of the cited references to teach or suggest a storage policy from an authorized user, where the authorized user has authority to control access to the storage locations on the network, the Applicants nevertheless argue that if Bakke is combined with the remaining cited references the combination of these references would defeat the purpose taught by Bakke. More specifically, Bakke teaches multiple users (refs. 111-114 of Bakke) each specify their policy, thereby allowing each user to determine their own storage policy, in which each user can take into account, among other things, the cost and speed of storage. Applying the remaining cited references to Bakke would allow an authorized user to set a policy that would be adverse to each of the other users. For example, one user may want to use faster storage, which costs more, and another user may want to use less expensive storage, which is slower. As such, the combination of Bakke and the other cited references would make Bakke unsatisfactory for its intended purpose.

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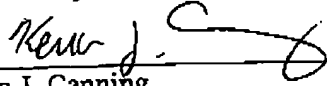Application No.: 09/960673   Docket No.: SMQ-076/P6310

For at least the aforementioned reasons, the cited references, alone or in combination, do not teach or suggest all the patentable features of claims 1 and 15. Claims 2, 3, 5-14 depend on claim 1. Claims 16 an 17 depend on claim 15. Thus, the cited references do not detract from the patentability of claims 1-3 and 5-17. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the Examiner's rejection of claims 1-3 and 5-17 under 35 U.S.C. § 103(a).

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: January 25, 2006   Respectfully submitted,

                                                 By_____
                                                 Kevin J. Canning
                                                 Registration No.: 35,470
                                                 LAHIVE & COCKFIELD, LLP
                                                 28 State Street
                                                 Boston, Massachusetts 02109
                                                 (617) 227-7400
                                                 (617) 742-4214 (Fax)
                                                 Attorney/Agent For Applicant

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